

FOR OFFICE USE ONLY:

Version # _____

APP # 700070

ITEM 1. Proposed Project

The San Bernardino National Forest offers a designated OHV road and trail system, consisting of 42 miles of 24-50" trails with an additional 169 miles of forest roads available for green sticker/red sticker use. In addition there are 734 miles of level 2 roads open to SUV/4WD use - 104 miles of which are 4WD routes. Designated OHV routes are dispersed forestwide, with legal opportunity for all vehicle types on all three districts. This project provides routine patrol of all of these routes, with primary focus on the 211 miles of 'green sticker' routes and known areas of illegal use, user conflict and recurring resource impacts. The LE staff, primarily three full-time District FPOs, also regularly patrols closure areas to prevent impacts to restoration sites, sensitive habitat, and fire recovery areas.

Law enforcement patrol efforts are heavily subsidized through partnership with the San Bernardino National Forest Association (SBNFA) OHV Volunteers. SBNFA OHV Volunteer 'Hosts' are able to patrol the forest at minimal cost, while still providing a quality 'first line' of information and public outreach. Prior to leading patrols, Hosts are trained by forest staff in rules and regulations, and are required to carry maps, brochures and other educational information with them while on patrol. OHV Volunteers also carry forest radios, allowing them to contact forest staff when an emergency situation may arise or a situation warrants law enforcement action. Of the 34,000 hours provided by the OHV host group last fiscal year, it is estimated that at least 75% of this time was in the patrol function. This equates to the presence of almost 12 additional full-time staff in the field throughout the year. While the Volunteers have no authority to perform in a law enforcement capacity, they are invaluable as a prevention tool by handling emergency situations, providing 'presence', educating the public about rules and regulations, and providing a reliable work force for restoration projects aimed at reducing the proliferation of unclassified roads and trails. Through partnership with the SBNFA OHV Volunteers, the forest also provides a comprehensive 'off forest' education/outreach program. Volunteers routinely attend trade shows, visit schools and provide various PSAs with primary focus on educating users to stay on designated trails.

OHV law enforcement on the Forest continues to be a critical, if not crisis, need. Recent fires and associated closures have created an increased need for patrol of these areas to protect soil and habitat while the ecosystems recover from fire. Most non-OHV District FPOs have for the last several years been assigned almost exclusively to fire closure areas, leaving few resources beyond volunteers to patrol OHV areas and forest roads not in closure. The lack of certified law enforcement presence on much of the Forest OHV system resulted in an almost 'lawless' condition in some areas. Baldy Mesa, as an example, is one of the most impacted areas on the Forest, where over 20 miles of unclassified routes were established by users in recent years. The Forest has recently completed a major restoration project in Baldy Mesa, completely eradicating and restoring 20 miles of routes. If these restoration sites are not routinely patrolled in the future, use patterns are unlikely to change and the restoration effort will be 'lost' as the trails are re-opened and adverse impacts continue to occur. As recent fire closures have been lifted following the Grass Valley, Slide and Butler II fires, more of the Forest has been opened once again to OHV use. Areas adjacent designated routes that were once heavily vegetated are now denuded and more subject to off-route travel and its associated impacts. Continued, frequent patrol of these newly reopened areas is necessary to prevent off-route travel and the resulting damage to sensitive habitats as they recover from fire.

Beyond specific areas such as Baldy Mesa, the Forest's OHV program is in need of additional law enforcement support throughout. Unlike many Forests which manage 'OHV areas', where use is concentrated into relatively small acreage, the San Bernardino's OHV system spans all three districts, including roads and trails across most of the Forest. Historically, patrols have been infrequent in any one area, as limited FPO and LEO staffs were forced to 'rotate' patrol areas, most often as a reaction to increased illegal activity and associated impacts. Even when such activities were reported by volunteers or the public, response times were often so long that the violator was 'long gone' before law enforcement could arrive. Unfortunately, this does little to prevent off-route impacts to cultural and natural resources and creates additional costs to restore those impacts. The proactive solution is to provide adequate levels of FPO staffing so that all OHV use areas on the Forest can be patrolled on a routine basis.

ITEM 2. Project Coverage

The San Bernardino National Forest encompasses 671,686 acres, of which 125,539 acres are wilderness. The forest offers a designated OHV road and trail system, consisting of 42 miles of 24-50" trails with an additional 169 miles of forest roads available for green sticker/red sticker use. In addition there are 734 miles of level 2 roads open to 4WD and street legal motorcycle use - 104 miles of which are strictly 4WD routes. This project will provide for the routine patrol of all of these routes, with primary focus on the 211 miles of 'green sticker' routes as well as known areas of illegal use, user conflict and recurring resource impacts.

While the primary focus will be patrol of designated use areas, LE staff, primarily District FPOs, will also regularly patrol closure areas to prevent impacts to restoration sites, sensitive habitat, and fire recovery areas. Specific areas will include recent restoration sites at Baldy Mesa and Cactus Flats. District FPOs will also monitor wilderness intrusions at road access points and other known areas of past OHV impacts to wilderness.

ITEM 3. Describe the frequency of the patrols

OHV law enforcement on the forest is conducted primarily by three full-time District FPOs, each assigned exclusively to the forest OHV program. District FPOs work full-time, five days a week, generally Thursday - Monday. Each of the three District FPOs patrol OHV use areas daily during their assigned work schedule, weather permitting.

OHV enforcement is also enhanced through partnership with the San Bernardino National Forest Association (SBNFA) OHV Volunteers. OHV Volunteers provide coordinated, organized peer patrols routinely throughout the year, primarily on weekends and holidays. In FY2008, the OHV Volunteers contributed approximately 25,000 hours, or nearly 3,200 days, of additional patrol.

A total of nine Forest Law Enforcement Officers (LEOs) also provide OHV support approximately 1 day per week during weekends, holidays and other peak times of use. The Forest OHV Program Manager and OHV Technician are also FPO certified, and perform OHV enforcement work as needed. Each spends approximately 2 days weekly engaged in OHV enforcement, often during weekdays when District FPO presence is limited.

ITEM 4. Deployment of Personnel

This project will provide for the deployment of:

Three full-time District OHV FPOs (4-5 days/week)

Two part-time OHV Program FPOs (approximately 2 days/week)

Nine Forest LEOs for approximately 1 day each/week.

FOR OFFICE USE ONLY:

Version # _____

APP # 700070

Law Enforcement - Page 1

1. Identify areas with high priority law enforcement needs because of public safety, cultural resources, and sensitive environmental habitats, including wilderness areas and areas of critical environmental concerns:

The San Bernardino is home to approximately 321 Threatened, Endangered and Sensitive (TES), Special Status and Species of Local Concern. Approximately 193 of these special status species are known to occur immediately adjacent or near OHV use on the forest. The forest also hosts over 1,000 known sites of prehistoric and historic cultural significance, many of which are subject to impacts from OHV use, particularly in the Baldy Mesa area. (Please see forest WHPP/HMP for detailed descriptions). Because of this rich biological diversity and cultural significance found across the forest, it is a priority to provide adequate OHV enforcement everywhere that OHVs are used and may be impacting these resources.

The forest has also recently completed major habitat restoration projects at Baldy Mesa, and is undertaking two similar projects at Cactus Flats and across the Mountain Top District. These restoration sites are given highest priority to ensure successful restoration and to prevent further impacts.

2. Describe how the proposed Project relates to OHV Recreation and will sustain OHV Recreation, motorized off-highway access to non-motorized recreation, or OHV Opportunities associated with the Project Area:

Because of the natural and cultural resources described above, a strong OHV enforcement program with constant and widespread 'presence' is necessary to protect these valuable resources from negative impacts. Failure to provide this level of protection can result in loss or 'take' of special status species and/or damage to valuable cultural resources. Per Forest Land Management Plan monitoring requirements, when such impacts are identified, they must be mitigated or the area must be closed to those activities responsible for the damage. Enforcement and education, through constant FPO presence and peer education by the SBNFA OHV Volunteers, encourage users to stay on designated trails, thus avoiding these impacts and preventing the need for mitigation and/or closure of OHV areas.

3. Describe the Applicant's formal or informal cooperation with other law enforcement agencies:

The San Bernardino National Forest has a history of cooperative law enforcement with the San Bernardino County Sheriff, the Angeles National Forest and the Bureau of Land Management. Forest staff, FPOs and LEOs routinely participate in 'task force' operations to target illegal OHV use in areas such as Baldy Mesa, Twin Peaks (Pinnacles) and others. The forest maintains formal agreements with the San Bernardino County Sheriff's Office and the Riverside County Sheriff's Office.

Law Enforcement - Page 2

4. Does the Applicant recover a portion of the law enforcement costs directly associated with privately sponsored OHV events where sponsors have obtained a local permit? ☐ Yes ☒ No
(Please select Yes or No)

Explain

The San Bernardino National Forest does not currently host any privately sponsored OHV events.

5. The Applicant agrees to implement a public education program that includes information on safety programs available in the area and how to report OHV violations? ☒ Yes ☐ No
(Please select Yes or No)

6. Describe the Applicant's OHV law enforcement training program including how the training program educates personnel to address OHV safety and natural and cultural resource protection:

All OHV enforcement personnel attend a Forest Service approved FPO training program prior to conducting OHV patrol. Furthermore, District FPOs are cross-trained by Supervisor's Office OHV staff and District biologists to conduct WHPP/HMP site monitoring and restoration site monitoring as part of their duties. The lead OHV Program Technician is also a certified para-archaeologist who works closely with District heritage staffs to identify and monitor known cultural resources.

SBNFA OHV Volunteers are required to participate in a training program before becoming OHV Hosts. At a minimum, volunteers must complete 50 hours of forest training in OHV Orientation/Host, vehicle operation, 'Scenarios' and OHV Regulations, prior to leading volunteer patrols. Volunteers must also participate in a minimum of two 'ride-alongs' prior to certification. Several Volunteers have also participated in a forest-offered Archaeology Field School, and have been trained as Heritage Site Monitors.

Law Enforcement - Page 3

7. Is the proposed project in accordance with local or federal plans and the OHMVR Division Strategic Plan? (Please select Yes or No) ☒ Yes ☐ No
8. LOCAL AGENCIES ONLY - Describe the Applicant's policies and/or agreements regarding enforcement on federal land:
9. COUNTIES ONLY - Describe how the OHV in-lieu of tax funds are being used and whether the use of these fees complements the Applicant's project:

Law Enforcement - Page 4

10. APPLICANTS WHO MANAGE OHV RECREATION FACILITIES – Describe how your organization is meeting its operation and maintenance needs:
- The OHV Operations and Maintenance program is supported through an 'Integrated Resources' approach, involving staffs from multiple disciplines across the forest. The program is managed by an OHV Program Manager and staff in the Supervisor's Office. These positions are supported through OHMVRD grants, recreation fees, forest funds and other external cooperators. Forest OHV staff is supported by three District FPOs who have primary law enforcement responsibility on their districts, but are also funded to assist in trail maintenance, O&M and special projects such as restoration. The forest's OHV Adopt-a-Trail program currently has 34 active clubs who contributed nearly 7,000 hours last year in OHV trail maintenance and special projects. Forestwide OHV operations are also supported by the forest's restoration program. Resource staff participate in restoration projects, help monitor WHPP/HMP and restoration sites, and maintain a forest greenhouse where plants are grown to support OHV related projects.
11. The Applicant agrees to enforce the registration of OHVs and the other provision of Division 16.5 commencing with Section 38000 of the vehicle code and to enforce other applicable laws regarding the operation of OHVs? (Please select Yes or No) ☒ Yes ☐ No

Project Cost Estimate for Grants and Cooperative Agreements Program - 2008/2009
 Agency: USFS - Inyo/San Bernardino NF - Patrol District
 Application: Law Enforcement, San Bernardino

6/2/2009

FOR OFFICE USE ONLY:		Version # _____	APP # _____
APPLICANT NAME :	USFS - Inyo/San Bernardino NF - Patrol District		
PROJECT TITLE :	Law Enforcement, San Bernardino	PROJECT NUMBER (Division use only) :	
PROJECT TYPE :	<input type="checkbox"/> Acquisition <input type="checkbox"/> Development <input type="checkbox"/> Education & Safety <input type="checkbox"/> Ground Operations <input checked="" type="checkbox"/> Law Enforcement <input type="checkbox"/> Planning <input type="checkbox"/> Restoration		
PROJECT DESCRIPTION :	<p>The San Bernardino National Forest offers a designated OHV road and trail system, consisting of 42 miles of 24-50" trails with an additional 169 miles of forest roads available for green sticker/red sticker use. In addition there are 734 miles of level 2 roads open to SUV/4WD use - 104 miles of which are 4WD routes. Designated OHV routes are dispersed forestwide, with legal opportunity for all vehicle types on all three districts. This project provides routine patrol of all of these routes, with primary focus on the 211 miles of 'green sticker' routes and known areas of illegal use, user conflict and recurring resource impacts. The LE staff, primarily three full-time District FPOs, also regularly patrols closure areas to prevent impacts to restoration sites, sensitive habitat, and fire recovery areas.</p> <p>Law enforcement patrol efforts are heavily subsidized through partnership with the San Bernardino National Forest Association (SBNFA) OHV Volunteers. SBNFA OHV Volunteer 'Hosts' are able to patrol the forest at minimal cost, while still providing a quality 'first line' of information and public outreach. Prior to leading patrols, Hosts are trained by forest staff in rules and regulations, and are required to carry maps, brochures and other educational information with them while on patrol. OHV Volunteers also carry forest radios, allowing them to contact forest staff when an emergency situation may arise or a situation warrants law enforcement action. Of the 34,000 hours provided by the OHV host group last fiscal year, it is estimated that at least 75% of this time was in the patrol function. This equates to the presence of almost 12 additional full-time staff in the field throughout the year. While the Volunteers have no authority to perform in a law enforcement capacity, they are invaluable as a prevention tool by handling emergency situations, providing 'presence', educating the public about rules and regulations, and providing a reliable work force for restoration projects aimed at reducing the proliferation of unclassified roads and trails. Through partnership with the SBNFA OHV Volunteers, the forest also provides a comprehensive 'off forest' education/outreach program. Volunteers routinely attend trade shows, visit schools and provide various PSAs with primary focus on educating users to stay on designated trails.</p> <p>OHV law enforcement on the Forest continues to be a critical, if not crisis, need. Recent fires and associated closures have created an increased need for patrol of these areas to protect soil and habitat while the ecosystems recover from fire. Most non-OHV District FPOs have for the last several years been assigned almost exclusively to fire closure areas, leaving few resources beyond volunteers to patrol OHV areas and forest roads not in closure. The lack of certified law enforcement presence on much of the Forest OHV system resulted in an almost 'lawless' condition in some areas. Baldy Mesa, as an example, is one of the most impacted areas on the Forest, where over 20 miles of unclassified routes were established by users in recent years. The Forest has recently completed a major restoration project in Baldy Mesa, completely eradicating and restoring 20 miles of routes. If these restoration sites are not routinely patrolled in the future, use patterns are unlikely to change and the restoration effort will be 'lost' as the trails are re-opened and adverse impacts continue to occur. As recent fire closures have been lifted following the Grass Valley, Slide and Butler II fires, more of the Forest has been opened once again to OHV use. Areas adjacent designated routes that were once heavily vegetated are now denuded and more subject to off-route travel and its associated impacts. Continued, frequent patrol of these newly reopened areas is necessary to prevent off-route travel and the resulting damage to sensitive habitats as they recover from fire.</p> <p>Beyond specific areas such as Baldy Mesa, the Forest's OHV program is in need of additional law enforcement support throughout. Unlike many Forests which manage 'OHV areas', where use is concentrated into relatively small acreage, the San Bernardino's OHV system spans all three districts, including roads and trails across most of the Forest. Historically, patrols have been infrequent in any one area, as limited FPO and LEO staffs were forced to 'rotate' patrol areas, most often as a reaction to increased illegal activity and associated impacts. Even when such activities were reported by volunteers or the public, response times were often so long that the violator was 'long gone' before law enforcement could arrive. Unfortunately, this does little to prevent off-</p>		

Project Cost Estimate for Grants and Cooperative Agreements Program - 2008/2009
Agency: USFS - Inyo/San Bernardino NF - Patrol District
Application: Law Enforcement, San Bernardino

6/2/2009

	route impacts to cultural and natural resources and creates additional costs to restore those impacts. The proactive solution is to provide adequate levels of FPO staffing so that all OHV use areas on the Forest can be patrolled on a routine basis.
--	--

	Line Item	Qty	Rate	UOM	Grant Request	Match	Total
DIRECT EXPENSES							
Program Expenses							
1	Staff						
	Technician Notes : District FPO - Pratt	180.000	196.000	DAY	35,280.00	0.00	35,280.00
	Technician Notes : District FPO - Wellman	180.000	162.000		29,160.00	0.00	29,160.00
	Technician Notes : District FPO - vice Wyatt	180.000	171.000		30,780.00	0.00	30,780.00
	Technician Notes : SO Staff - Mason	40.000	181.000		7,240.00	0.00	7,240.00
	Supervisor Notes : OHV Program Manager - Hoffman	50.000	274.000		13,700.00	0.00	13,700.00
	Law Enforcement Officers Notes : Nine LEOs x 2 days each/pay period	468.000	367.000	DAY	0.00	171,756.00	171,756.00
	Total for Staff				116,160.00	171,756.00	287,916.00
2	Contracts						
3	Materials / Supplies						
	Safety Equipment Notes : PPE and field equipment for District Techs and LEOs	3.000	1200.000	EA	3,600.00	0.00	3,600.00
	Safety Equipment Notes : LE Accessories for ATV	1.000	1500.000	EA	1,500.00	0.00	1,500.00
	Total for Materials / Supplies				5,100.00	0.00	5,100.00

Project Cost Estimate for Grants and Cooperative Agreements Program - 2008/2009
Agency: USFS - Inyo/San Bernardino NF - Patrol District
Application: Law Enforcement, San Bernardino

6/2/2009

	Line Item	Qty	Rate	UOM	Grant Request	Match	Total
4	Equipment Use Expenses						
	Vehicle Operations and Maintenance	12.000	304.000	MOS	0.00	3,648.00	3,648.00
	Vehicle Operations and Maintenance	12.000	312.000	MOS	0.00	3,744.00	3,744.00
	Vehicle Operations and Maintenance	12.000	304.000		0.00	3,648.00	3,648.00
	Vehicle Operations and Maintenance	36.000	191.000	MOS	0.00	6,876.00	6,876.00
	Total for Equipment Use Expenses				0.00	17,916.00	17,916.00
5	Equipment Purchases						
	Other-ATV for LEO shop Notes : ATV for LEO patrol assistance	1.000	8000.000	EA	8,000.00	0.00	8,000.00
	Other-ATV Trailer	1.000	3350.000	EA	3,350.00	0.00	3,350.00
	Total for Equipment Purchases				11,350.00	0.00	11,350.00
6	Others						
7	Administrative Costs						
	Administrative Costs-Evans - Program Adm	10.000	700.000	DAY	0.00	7,000.00	7,000.00
Total Program Expenses					132,610.00	196,672.00	329,282.00
TOTAL DIRECT EXPENSES					132,610.00	196,672.00	329,282.00
TOTAL EXPENDITURES					132,610.00	196,672.00	329,282.00

Project Cost Summary for Grants and Cooperative Agreements Program - 2008/2009
Agency: USFS - Inyo/San Bernardino NF - Patrol District
Application: Law Enforcement, San Bernardino

6/2/2009

	Line Item	Grant Request	Match	Total	Narrative
DIRECT EXPENSES					
Program Expenses					
1	Staff	116,160.00	171,756.00	287,916.00	
2	Contracts	0.00	0.00	0.00	
3	Materials / Supplies	5,100.00	0.00	5,100.00	
4	Equipment Use Expenses	0.00	17,916.00	17,916.00	
5	Equipment Purchases	11,350.00	0.00	11,350.00	
6	Others	0.00	0.00	0.00	
7	Administrative Costs	0.00	7,000.00	7,000.00	
Total Program Expenses		132,610.00	196,672.00	329,282.00	
TOTAL DIRECT EXPENSES		132,610.00	196,672.00	329,282.00	
TOTAL EXPENDITURES		132,610.00	196,672.00	329,282.00	

FOR OFFICE USE ONLY:

Version # _____

APP # 700070

ITEM 1 and ITEM 2

ITEM 1

- a. ITEM 1 - Has a CEQA Notice of Determination (NOD) been filed for the Project? ☐ Yes ☒ No
(Please select Yes or No)

ITEM 2

- b. ITEM 2 - Are the proposed activities a "Project" under CEQA Guidelines Section 15378? ☐ Yes ☒ No
(Please select Yes or No)
- c. The Application is requesting funds solely for personnel and support to enforce OHV laws and ensure public safety. These activities would not cause any physical impacts on the environment and are thus not a "Project" under CEQA. (Please select Yes or No) ☒ Yes ☐ No
- d. Other. Explain why proposed activities would not cause any physical impacts on the environment and are thus not a "Project" under CEQA. DO NOT complete ITEMS 3 – 9

ITEM 3 - Impact of this Project on Wetlands

ITEM 4 - Cumulative Impacts of this Project

ITEM 5 - Soil Impacts

ITEM 6 - Damage to Scenic Resources

ITEM 7 - Hazardous Materials

Is the proposed Project Area located on a site included on any list compiled pursuant to Section 65962.5 of the California Government Code (hazardous materials)? (Please select Yes or No) ☐ Yes ☒ No

If YES, describe the location of the hazard relative to the Project site, the level of hazard and the measures to be taken to minimize or avoid the hazards.

ITEM 8 - Potential for Adverse Impacts to Historical or Cultural Resources

Would the proposed Project have potential for any substantial adverse impacts to historical or cultural resources? (Please select Yes or No) ☐ Yes ☒ No

If YES, describe the potential impacts and for any substantially adverse changes in the significance of historical or cultural resources and measures to be taken to minimize or avoid the impacts.

ITEM 9 - Indirect Significant Impacts

CEQA/NEPA Attachment